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Attorney for Debtor

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re	<u>Justo Garcia</u>	Case No.	<u>09-11737</u>
		Chapter	<u>13</u>
	Debtor		
Last four digits of Social Security No(s).	<u>xxx-xx-5179</u>		

NOTICE OF OBJECTION TO CLAIM

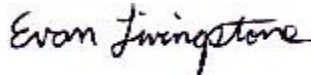
Justo Garcia the debtor in this case has filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to eliminate or change your claim, then , you or your lawyer must appear at the Santa Rosa Bankruptcy Court on December 21, 2009 at 1:30 PM.

If you or your attorney do not appear, the court may decide that you do not oppose the objection to your claim.

Dated: October 29, 2009



Evan Livingstone
Attorney for Debtor

LAW OFFICE OF EVAN LIVINGSTONE
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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re **Justo Garcia** Case No. **09-11737**
Debtor Chapter **13**
Last four digits of Social Security No(s). **xxx-xx-5179**

Objection to Allowance of Claim

The above named debtor objects to the allowance of the claim filed by Aqua Finance, in the amount of \$4,017.

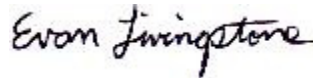
1. Alleged secured collateral water system was a fixture in house at **805 Center Ave, Sonoma, CA** which was foreclosed on in December 2007 by HB FSB the primary lender on the house.

2. Any junior lien Aqua Finance may have had in the real property at 805 Center Ave was destroyed when senior lien holder BH FSB foreclosed on the real property.

3. Pursuant to 11 U.S.C. §502(b) if an objection to a claim is made, the court, after notice and a hearing, shall determine the amount of such claim in lawful currency of the United States, as of the date of the filing of the petition, and shall allow such claim in such amount.

WHEREFORE, debtor prays that the court determines the total value of the secured claim of Aqua Finance is \$0 and that any claim Aqua Resources may have on debtor or debtor's estate is completely unsecured.

Dated: October 29, 2009



Evan Livingstone
Attorney for Debtor

**United States Bankruptcy Court
Northern District of California**

In re **Justo Garcia** Case No. **09-11737**
Debtor Chapter **13**
Last four digits of Social Security No(s). **xxx-xx-5179**

CERTIFICATE OF SERVICE

I hereby certify that on **October 29, 2009**, a copy of Notice of Objection to Claim and Objection to Claim was served electronically or by regular United States mail to all interested parties, the Trustee and all creditors listed below.

Aqua Finance Inc.
Box 844
Wausau, WI 54402

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